

Application No: 10/801,349
Response dated 12/26/06
Reply to Office Action Dated 10/05/2006

Attorney Docket No: 3926.076

REMARKS

Claims 17-32 are pending in the application. Claims 1-16 have been previously cancelled. Claims 26 and 32 are allowed.

Drawings

The drawings are objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims.

More specifically, the Examiner has stated that the feature "two or more flat elements are *mechanically* connected to the reflector" as claimed in claim 31 must be shown or the feature(s) cancelled from the claim(s).

The Examiner has insisted that there is no coupling provided at the other radially remote end of the flat elements 5a in Fig. 3 to firmly connect to the surrounding reflector 2 and Fig. 3 merely shows that the remote end of the flat elements is in contact with the reflector 2.

Since Fig. 3 is a front view, a mechanical connection and a pure contact between the flat elements 5a and the reflector 2 would appear the same in this figure. It is noted that the drawings are only provided for illustration and a person skilled in the art can understand from specification that there is a mechanical connection, which cannot be more specifically shown in Fig. 3.

The Examiner is thus requested to withdraw the drawing objection.

Claim Rejections - 35 U.S.C. § 103

Claims 17-25 and 27-29 are rejected under 35 U.S.C. 103(a) as being obvious over Siminovetch et al. (US 5,174,646) in view of Holz et al. (US 2004/0105276 A1).

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The Examiner has stated that since Siminovitch et al. disclose that the spring contact 13 of the cooling element 7 is snapping into contact with the light bulb (column 5, lines 36-38 and 49-52), the cooling element is firmly connected to the light bulb mechanically and thermally.

Applicant believes that there is a difference between "firmly connected to the light source mechanically" and "snapping into contact with the light bulb." A firm mechanical connection means there is no relative movement between the cooling element and the light source. In other words, the cooling element and the light source are formed as one piece. The firm mechanical and thermal connection makes it difficult to disconnect the mechanical connection. In contrast, a contact means the relative movement between the cooling element and the light source is always possible even if they are snapping into contact. In other words, the cooling element and the light source are formed as separate pieces. In Siminovitch et al., due to the spring form of the contact, the cooling element can be separated from the light bulb in a very simple way.

Also, the Examiner appears to have misunderstood the description in paragraph [00031] of the specification of the instant application. It is stated in paragraph [00031]

The attachment element 5, which is in the form of a rod, is fixed in the transparent lens 3, which means that its position is fixed in the reflector 2 and hence in the headlight 1, and this thus also means that the position of the semiconductor light source 4, which is firmly connected to the cooling element 5 both mechanically and thermally, is fixed.

It is clearly stated that the position of the light source is fixed (note that the light source is firmly connected to the cooling element 5 both mechanically and thermally) as a result of the fact that the attachment element (cooling element) 5 is fixed in the transparent lens 3.

Applicant would like to point out a further fundamental difference, namely the spring mechanical connection of Siminovitch et al. surrounds and contacts mechanically the fluorescent light bulb 1. Such a spring mechanical connection is only possible for a distinctively large light

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source. A semiconductor light source, which typically has a LED-chip or a semiconductor laser chip, does not present itself as such a distinctively large light source. Such semiconductor light sources cannot be surrounded or enclosed by a mechanical spring. These semiconductor components do not have the mechanical size to be encircled, snapped, and thus mechanically fixed by the prominent springs, as disclosed in Siminovitch et al. When such a mechanical fixation would be attempted, as disclosed in Siminovitch et al., the semiconductor light sources would be damaged. This would lead to defective vehicle headlight.

In addition, it is noted that it is disclosed in different locations in the specification (see, for example, paragraphs [00011], [00014], and [00036]) that through the mechanical and thermal fixation of the semiconductor light source (4) with the cooling element (5), which is fixed in the front lens (3), any additional mechanical fixing of the light source is no longer necessary. In contrast, in Siminovitch et al. such a fixation of the light source is shown repeatedly and in detail. The fluorescent light bulb 1 is fixed in the bottom of the lamp. Especially, it can be seen from Fig. 7 that the light source 1 is fixed in the housing of the lamp, also when the spring 13 of the cooling element 7 is not spring-mechanically connected with the light source 1.

Holz et al. do not make up for the deficiencies of Siminovitch et al.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 17. Claim 17 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 17, they are believed to be patentable as well.

The Examiner is, therefore, requested to withdraw the rejections under 35 USC 103(a).

Applicant acknowledges that Examiner's statement in item 5 on page 5 of the Office action that claims 30 and 31 would be allowable if written in independent form including all the limitations of the base claim and any intervening claims.

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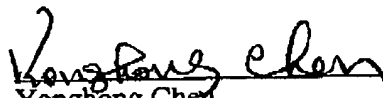
Since, as discussed above, claim 17 is believed to be patentable over the art and claims 30-31 are ultimately dependent on claim 17, they are believed to be allowable in dependent form. A rewrite is, therefore, believed to be unnecessary at this time.

Applicant acknowledges with appreciation the Examiner's statement in item 6 on page 5 of the Office action that claims 26 and 32 are allowed.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 50-0951.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,


Yonghong Chen

Registration No. 56,150

Customer No. 30448

Akerman Senterfitt

222 Lakeview Avenue, Suite 400

West Palm Beach, FL 33401

Phone: 561-653-5000

Fax: 561-659-6313

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